

SUBCHAPTER E—FOREST MANAGEMENT (5000)

Group 5000—Forest Management General

PART 5000—ADMINISTRATION OF FOREST MANAGEMENT DECISIONS

Subpart 5003—Administrative Remedies

§ 5003.1 Effect of decisions; general.

The filing of a notice of appeal under part 4 of this title shall not automatically suspend the effect of a decision governing or relating to forest management as described under subparts 5003.2 and 5003.3.

(43 U.S.C. 1181(a); 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1701)

[49 FR 28561, July 13, 1984]

§ 5003.2 Notice of forest management decisions.

(a) The authorized officer shall, when the public interest requires, specify when a decision governing or relating to forest management shall be implemented through the publication of a notice of decision in a newspaper of general circulation in the area where the lands affected by the decision are located, establishing the effective date of the decision. The notice in the newspaper shall reference 43 CFR subpart 5003—Administrative remedies.

(b) When a decision is made to conduct an advertised timber sale, the notice of such sale shall constitute the decision document.

(c) For all decisions relating to forest management except advertised timber sales, the notice and decision document shall contain a concise statement of the circumstances requiring the action.

(43 U.S.C. 1181(a); 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1701)

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§ 5003.3 Protests.

(a) Protests of a forest management decision, including advertised timber sales, may be made within 15 days of the publication of a notice of decision

or notice of sale in a newspaper of general circulation.

(b) Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision.

(c) Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered.

(d) Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him/her.

(e) The authorized officer shall, at the conclusion of his/her review, serve his/her decision in writing on the protesting party.

(f) Upon denial of a protest filed under paragraph (a) of this section the authorized officer may proceed with implementation of the decision.

(43 U.S.C. 1181(a); 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1701)

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PART 5040—SUSTAINED YIELD UNIT AND COOPERATIVE AGREEMENTS

Subpart 5040—Sustained Yield Unit and Cooperative Agreements; General

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5040.0–3 Authority.

Subpart 5041—Annual Productive Capacity

5041.1 Determination of annual productive capacity.

Subpart 5042—Master Units

5042.1 Master units and appurtenant marketing areas.

5042.2 Hearings concerning master units.

5042.3 Notice of hearings concerning master units.

Subpart 5043—Sustained-Yield Forest Units

5043.1 Establishment of units.

5043.2 Hearings concerning sustained-yield forest units and cooperative agreements.